

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:)
 Richard L. Marks) Group Art Unit: 2612
)
 Application No. 10/758,817) Examiner: Wang, K
) Docket No. SONYP031
 Filed: January 16, 2004) Date: October 23, 2008
 For: METHOD AND APPARATUS FOR)
 OPTIMIZING CAPTURE DEVICE)
 SETTINGS THROUGH DEPTH)

CERTIFICATE OF E-FILING

I hereby certify that this paper and the documents and/or fees referred to as attached herein are being electronically filed with the United States Postal Service on **October 23, 2008**.

/Kay Harlow/

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims Remaining After Amendment	Highest Previously Paid For	Present Extra	SMALL ENTITY RATE FEE	OR	LARGE ENTITY RATE FEE
TOTAL CLAIMS	29 -	32	00	X25 = \$	OR	X52 = \$
INDEP CLAIMS	04 -	04	00	X110 = \$	OR	X220 = \$
[] Multiple Dependent Claim Present and Fee Not Previously Paid				\$195		X390 \$
			TOTAL	\$ _____		\$ _____

- Applicant(s) hereby petition for a one-month extension of time to respond to the outstanding Office Action.
- Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-0805.
- Enclosed is Check No. _____ in the amount of \$ _____ to cover the additional claim fee and/or extension of time fees.
- If the required fees are missing or any additional fees are required to facilitate filing the enclosed response, please charge such fees or credit any overpayment to Deposit Account No. 50-0805 (Order No. SONYP031). A copy of this sheet is enclosed.

Respectfully submitted,
 MARTINE PENILLA & GENCARELLA, LLP

/Albert S. Penilla, Esq./
 Registration No. 39,487

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PATENT

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/Kay Harlow/

AMENDMENT

BOX: AF
Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

Please consider the following amendment and accompanying remarks in this response to the Final Office Action dated August 21, 2008. The due date for response extends to November 21, 2008.

The listing of claims begins on page 2.

Remarks begin on page 10.